

AO91 (Rev. 12/03) Criminal Complaint

**UNITED STATES DISTRICT COURT****FILED**

April 18, 2023

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS**WESTERN DISTRICT OF TEXAS, PECOS DIVISION**BY: Yvette Lujan  
DEPUTY**UNITED STATES OF AMERICA****CRIMINAL COMPLAINT****V.**

Nicolas ORDONES-Maldonado

**Case Number: PE:23-mj-211**

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about 4/16/2023 in Presidio County, in the Western District Of Texas defendant(s) did, attempt to enter, entered, and or was found in the United States after having been previously arrested and deported, removed, excluded or denied admission from the United States and permission to reapply for admission was not granted by the Secretary of Homeland Security; and the Defendant failed to establish that he was not required to obtain the consent of the Secretary of Homeland Security or the Attorney General prior to entering the United States pursuant to 6 USC 203(3), and 202(4), and 557.

in violation of Title 8 United States Code, Section(s) 1326(a)

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

The Defendant, Nicolas ORDONES-Maldonado, was arrested by Marfa Border Patrol Agents, on April 16, 2023, for being an illegal alien present in the United States. Investigation and records from the Citizenship and Immigration Services reveal the Defendant was previously deported, removed or excluded from the United States on 02/08/2023 through ALEXANDRIA, LA. The Defendant was found in the Western District of Texas without having obtained permission from the Secretary of Homeland Security to re-apply for admission after being deported, removed or excluded. The Defendant is unlawfully present in the United States.

Defendant is a citizen and national of Guatemala.

Continued on the attached sheet and made a part hereof:

☒ Yes ☐ No

/s/ Marissa Martinez

Signature of Complainant

**Marissa Martinez**

Printed Name of Complainant

Alpine, Texas

City/State

Signature of Judicial Officer

Complaint sworn to telephonically on  
April 18, 2023 at 09:15 AM and signed  
electronically. **FED.R.CRIM.P. 4.1(b)(2)(A)**

April 18, 2023

Date

**David Fannin**

**U.S. Magistrate Judge**

Name & Title of Judicial Officer

at

CONTINUATION OF CRIMINAL COMPLAINT

Nicolas ORDONES-Maldonado

FACTS (CONTINUED)

Immigration History:

ORDONES-MALDONADO, NICOLAS has been deported 1 time, the last one being to GUATEMALA on February 8, 2023, through ALEXANDRIA, LA

Criminal History:

01/15/2023, KATY, TX, DRIVING WHILE INTOXICATED(M), ACC, DISPOSITION UNKNOWN.